

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANDRE JACKSON,	)	
	)	
Plaintiff,	)	Case No. 1:10-cv-64-SJM-SPB
	)	
v.	)	
	)	
MS. OVERTON, <i>et al.</i> ,	)	
	)	
Defendant.	)	

**MEMORANDUM ORDER**

Plaintiff's civil rights complaint was received by the Clerk of Court on March 17, 2010 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on March 1, 2010 [17], recommends that Plaintiff's motion to transfer the within case [15] be granted and that this case be transferred to the Erie County Court of Common Pleas. The parties were allowed fourteen (14) days from the date of service in which to file objections. Service was made on Plaintiff by certified mail at SCI-Albion, where he is incarcerated. No objections to the Report and Recommendation have been filed. After de novo review of the complaint and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 5<sup>th</sup> Day of April, 2011;

IT IS ORDERED that Plaintiff's motion to transfer the instance case [15] be, and hereby is, GRANTED and this case shall be transferred forthwith to the Erie County Court of Common Pleas pursuant to 42 Pa.C.S. § 5103(b)(1)-(2).

The Report and Recommendation of Magistrate Judge Baxter, filed on March 1, 2011 [17], is adopted as the opinion of this Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN  
United States District Judge

cm: All parties of record

U.S. Magistrate Judge Susan Paradise Baxter